IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

THURSDAY, THE 30TH NOVEMBER 2006 / 9TH AGRAHAYANA 1928

WP(C).No. 26886 of 2006(A)

PETITIONER:

PRADEEP KUMAR.D.S., KANJIRAM VILA,
THEKKUMKARA, PALLICHIRA P.O., KOLLAM-691 304.

BY ADV. SRI.N.SUKUMARAN

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
ITS SECRETARY TO HEALTH AND FAMILY WELFARE
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. DIRECTOR OF HEALTH SERVICES,
TRIVANDRUM.

3. DISTRICT MEDICAL OFFICER, KOLLAM.

4. KERALA PUBLIC SERVICE COMMISSION,
REPRESENTED BY ITS SECRETARY, PATTOM,
THIRUVANANTHAPURAM-4.

5. DISTRICT OFFICER,
KERALA PUBLIC SERVICE COMMISSION,
DISTRICT OFFICE, KOLLAM.

R1 TO 3 BY GOVT. PLEADER SHRI. BIJOY CHANDRAN
R4 & 5 BY SC SHRI. P.C.SASIDHARAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 26886 OF 2006 A

Dated this the 30th November, 2006.

JUDGMENT

Rank list published by the Commission for appointment to the post of Junior Health Inspector Gr.II in Kollam district came into force with effect from 28.10.2002. The maximum period for which the rank list can be kept alive is over by 27.10.2005. The petitioner says that having regard to the number of vacancies reported, he was entitled to be advised for appointment, considering his rank position. The Public Service Commission was therefore directed to furnish the relevant particulars regarding the number of vacancies reported and the number of candidates advised from the list.

2. Counsel for the Commission submits that 143 vacancies have been reported from the department for advise of candidates and the Commission has advised 140 candidates from the rank list. It is also submitted that candidates could not be advised against three vacancies since none belonging to the particular reserved community was available in the list. Therefore, in terms of Rules 14 and 15 of K.S & S.S.R as amended, those vacancies are kept unfilled. Candidates can be advised against the above three vacancies only from the next list provided candidates

belonging to the particular reserved communities find a place in that list.

3. Considering the rank position of the petitioner there is no chance of he being advised for appointment against the vacancies thus reported. This being the factual position, the directions sought for in this writ petition cannot be issued. Writ petition is therefore dismissed.

K.K.DENESAN
Judge

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